



Grafton Conservation Commission

GRAFTON MEMORIAL MUNICIPAL CENTER

30 PROVIDENCE ROAD

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Minutes of the August 16, 2016 Meeting at 7:00 p.m.

A meeting of the Grafton Conservation Commission was held in Conference Room F of the Grafton Municipal Center on August 16, 2016. Present were: Chairperson Sandra Brock, Heather Trudell, Scott Conway, Conservation Agent Maria Mast, and Conservation Assistant Leah Cameron. Peter Finn was absent.

Chairperson Sandra Brock opened the public meeting at 7:00 p.m.

Requests for Certificates of Compliance –

- **DEP #164-610 / WP #457 – High Point Estates Restoration** – This Order of Conditions was for honeysuckle control that was completed in 2013. The Conservation Agent will research the details of this filing further to determine if the goals were met. The Commission took no action.
- **DEP #164-850 / WP #685 – 78 High Point Drive, Lot 11** – Small rocks were used to delineate the 25 foot no disturb zone, instead of boulders. This needs to be fixed. The Commission took no action.
- **WP #637 – 46 High Point Drive, Lot 26** – The homeowner has established a garden in the no disturb zone. The Conservation Agent will send a letter to the homeowner. The Commission took no action.
- **DEP #164-611 / WP #458 – High Point Estates Off-Site Work** – This Order of Conditions was for resurfacing and widening a section of Adams Road and replanting trees that weren't supposed to have been removed. The work was completed in 2011. (See motion below)
- **DEP #164-656 / WP #501 – 96 High Point Drive, Lot 2**
DEP #164-658 / WP #503 – 92 High Point Drive, Lot 4
DEP #164-681 / WP #526 – 88 High Point Drive, Lot 6
DEP #164-743 / WP #583 – 84 High Point Drive, Lot 8
DEP #164-742 / WP #582 – 54 High Point Drive, Lot 24
The Conservation Agent reviewed the as-built plans and found no issues.
→Heather Trudell made a motion, seconded by Scott Conway, to issue Certificates of Compliance for the Off-Site Work, 96, 92, 88, 84, and 54 High Point Drive. The motion carried unanimously.
- **DEP #164-898 & 164-899 / WP #731 & 732 – 84 & 86 Magill Drive** – Silt fence needs to be removed from the sites. The Commission took no action.
- **DEP #164-64 – 33 Edward Drive, Unit 4106 (partial)** – Heather Trudell made a motion, seconded by Scott Conway, to issue a partial Certificate of Compliance for 33 Edward Drive. The motion carried unanimously.
- **SW #14-004 – 79 Old Upton Road** – The Conservation Agent found no issues with the site. Heather Trudell made a motion, seconded by Scott Conway, to issue a Certificate of Compliance for 79 Old Upton Road. The motion carried unanimously.
- **DEP #164-896 / WP #729 – Tufts Sewer, off Wildlife Drive** – Silt fence needs to be removed from the site. Chairperson Sandra Brock abstained due to her employer working with Tufts. Heather Trudell stated that the Commission took no action.

Discussion Item: Enforcement Order – Meadow Lane culvert replacement – The Conservation Agent explained that an Enforcement Order was issued for violations of the Order of Conditions including: work without an erosion control inspection, work beyond the approved limit of work, and unapproved clearing for a

stockpile area in deeded open space. They have stopped work since being issued the Enforcement Order. The owner was unaware of the restrictions on the open space. The Conservation Agent stated that there is still water flowing through the area and that better erosion control would be necessary for the flow. She also reminded the applicant to call the office for an inspection before any work commences, including clearing. Paul Hutnak of Andrews Survey & Engineering, Inc. stated that they are no longer planning to do the work this year and that they believe they can do the work next year within the approved limit of work and will no longer need to stockpile. Chairperson Sandra Brock stated that the area that was cleared should be allowed to regrow. Heather Trudell made a motion, seconded by Scott Conway, to ratify the Enforcement Order that was issued on 7/25/16. The motion carried unanimously. Heather Trudell made a motion, seconded by Scott Conway, to release the Enforcement Order subject to receiving an amended Notice of Intent on or before the first Commission meeting in March of 2017 and no work occurring beyond the approved areas. The motion carried unanimously.

DEP #164- Notice of Intent & Application for Grafton Wetlands Protection Bylaw Permit # - 184 Worcester Street - Hovey Pond Dam (Assessor's Map 27, Lot 15) – The applicant, Dan Mortell of DCR, proposed repairs to Hovey Pond Dam within resource and riverfront areas. Heather Trudell made a motion, seconded by Scott Conway, to continue the public hearing for 184 Worcester Street to September 6, 2016, at the applicant's request. The motion carried unanimously.

Modification of Grafton Stormwater Management Bylaw Permit #15-008 – 207 Providence Road (Assessor's Map 99, Lot 10) – The applicants, Robert and Karen Kell, requested modification to SW Permit #15-008 in order to change the access road location and specifications. Rich Riccio of Field Engineering Co., Inc. discussed the project with the Commission. The previously proposed access route through the National Grid easement was denied by National Grid. The access easement is now proposed across the owner's property. A swale with check dams has been added to the plans, as well as erosion control blankets, as requested by the Conservation Agent. MassDOT approved the access. Rich Riccio submitted copies of the approval email from MassDOT and written approval from John Kell, the abutter at 203 Providence Road. The project was peer reviewed and the recommended additional erosion control was added to the plans. The beginning of the access road will be paved, as requested by the Fire Department. Chairperson Sandra Brock pointed out that the proposed grass swale at 11% will likely require reinforcement. She also stated that the approved erosion control is the minimum requirement; they are still responsible for any erosion that may occur on site. Scott Conway expressed concerns about a pond on an abutting property that potentially drains toward this site. Rich Riccio stated that the pond was accounted for in the peer review process. There were no comments from the audience. Heather Trudell made a motion, seconded by Scott Conway, to close the public hearing and issue the Order of Conditions for 207 Providence Road with the following special conditions: a pre-construction kick off meeting will be held among relevant parties, including the Conservation Agent, at that meeting, the methods and means of site stabilization will be determined and approved by the Conservation Agent, the proposed paving of the beginning of the access road will be completed in the first phase of construction, prior to any clearing on site and additionally, special condition #4 from the original permit #15-008 pertaining to National Grid shall be removed. The motion carried unanimously.

Discussion Item: Consider appointing a Lake Quinsigamond Commission rep – The Commission appointed Scott Conway as their Lake Quinsigamond Commission rep, with Chairperson Sandra Brock as the alternative if Scott is unable to attend.

Discussion Item: Future procedures for deed restrictions – The Conservation Agent asked the Commission how deed restriction language should be approved in the future when it is included as a special condition on a project. The Commission determined that deed restriction language should be reviewed by Town Counsel. The Commission noted that the special condition should explain that they require 30 days to review it.

Discussion Item: Review documents submitted for Grafton Hill – The Commission will review the proposed deed restriction, deed, and 401 water quality certificate that were submitted for Grafton Hill in preparation for

the September 6, 2016 meeting. Heather Trudell found no issues with the documents and suggested that Town Counsel review them as well.

Discussion Item: Completion of Emergency Certification work at 90 Worcester Street – The Conservation Agent informed the Commission that the project was completed and asked how they would like to close it out. The Commission did not see the need to create a form to close out Emergency Certification projects because they have 30 days to do the work and if it is not complete in that time frame, an Enforcement Order could be issued telling them to file with the Commission.

Discussion Item: Potential herbicide treatment of Silver Lake swimming area – The Recreation Department currently uses a benthic barrier to control weeds in the swimming area, but it is not effective. They wanted to know if the Commission would consider either hydroraking or herbicide treatment in the swimming area. The Commission was willing to consider this. The Conservation Agent will direct the Recreation Department to proceed by submitting a Request for Determination of Applicability.

Discussion Item: Spending Fee Funds on Assistant's Salary – The Commission discussed spending some of the money received from application fees under the Wetlands Protection Act and the local Bylaw on additional hours for the Conservation Assistant. The Commission decided to run additional calculations on the accounts to see how sustainable this idea would be, given that 25% of the Conservation Agent's salary currently comes from this money. The Commission will discuss this further, with a full Commission present, at their next meeting.

Discussion Item: Wording for Memorial Boat Ramp signage – The Commission decided to postpone this discussion until all members are present.

July 19, 2016 Meeting Minutes – Heather Trudell made a motion, seconded by Scott Conway, to approve the July 19, 2016 meeting minutes as drafted. The motion carried unanimously.

Heather Trudell made a motion, seconded by Scott Conway, to adjourn the meeting at 8:38 p.m. The motion carried unanimously.

Documents discussed located in the Conservation Commission office:

Requests for Certificates of Compliance for: High Point Estates Restoration, High Point Estates Off-Site, 96, 92, 88, 84, 78, 54, 46 High Point Drive, 84 & 86 Magill Drive, 33 Edward Drive, 79 Old Upton Road, Tufts Sewer
Certificates of Compliance for: High Point Estates Off-Site, 96, 92, 88, 84, & 54 High Point Drive, 33 Edward Drive (partial), 79 Old Upton Road
Enforcement Order for Meadow Lane culvert replacement
Notice of Intent & Application for Grafton Wetlands Protection Bylaw Permit for 184 Worcester Street, Hovey Pond Dam
Request for Modification of SW #15-008 for 207 Providence Road & Modified SW #15-008 & Written approvals from MassDOT & John Kell
Proposed deed restriction, deed, & 401 water quality certificate for Grafton Hill subdivision
Emergency Certification for 90 Worcester Street
July 19, 2016 meeting minutes
Agent's Report to the Commissioners dated August 16, 2016

Minutes drafted by Leah Cameron
Approved on September 20, 2016